

MAR - 5 2008

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

DONALD MACK BENNETT,

Plaintiff,

- against -

OFFICER FALCONE and OFFICER BUONO,

Defendant(s)

05 Civ. 1358 (KMK)(LMS)

DECISION AND ORDER

Plaintiff Donald Mack Bennett ("Plaintiff") initiated this cause of action under 42 U.S.C. § 1983 claiming that Officer Falcone and Officer Buono used excessive force while arresting him and denied him medical treatment. In a letter to the Court dated February 29, 2008, Plaintiff makes a second request that the Court appoint counsel from the pro bono panel. For the same reasons that I denied Plaintiff's first request (see Docket entry 31), I now deny his second request for appointment of counsel without prejudice to renew after sufficient evidence has been obtained upon which the Court could consider the merits of Plaintiff's case if circumstances warrant.

Dated: March 3, 2007
White Plains, New York

SO ORDERED.



Lisa Margaret Smith
United States Magistrate Judge
Southern District of New York

